

REMARKS

Claims 1-27 are pending. Claims 1-21 have been withdrawn by the Examiner as a result of restriction and election of species requirements. By this Amendment, claims 1, 3, 5, 6, 8, 10, 12, 13 and 15-25 are amended. The claims are amended to even further distinguish over the applied reference and to address the rejection under 35 U.S.C. §112, second paragraph. No new matter is added by the above amendments.

Applicants submit that elected independent claim 22 remains generic to all species. Accordingly, Applicants submit that upon allowance of generic independent "system" claim 22, the other system claims, claims 1-7 and 15-17, should be re-joined and allowed.

Applicants also request that the withdrawn method claims be re-joined and allowed. In an effort to further prosecution, Applicants have amended the method claims in a manner similar to the manner in which the elected (and withdrawn) system claims have been amended.

Claims 22-27 stand rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

Applicants submit that the amendments to claim 22 address the issues raised in the Office Action. The Office Action asserts that there is an inconsistency in claim 22 in that the Office Action states "lines 6 and 7 state that a predetermined portion of the substrate is inspected by the second inspection apparatus and lines 8-10 state that information in the storage unit determines where the second inspection apparatus inspects. Lines 6-10 of claim 22 are inconsistent." Applicants respectfully submit that lines 6-10 of claim 22 are not inconsistent. Lines 8-10 recite that a determination is made regarding which substrates or which regions of substrates are to be subjected to inspection by the second inspection apparatus. Claims 8-10 do not redefine the locations where the second inspection apparatus performs its inspection. Claims 8-10 merely define which substrates or which portions of

substrates are to be subjected to that inspection. As described in Applicants' specification (to be discussed below), according to some embodiments, the "predetermined portion" to be inspected by the second inspection apparatus corresponds to a plurality of regions on a substrate. According to some embodiments, the determination whether to perform the inspection with the second inspection apparatus is based upon the presence or absence of defects in the regions. In order to further clarify that the regions of claim 22 include the predetermined portion of the substrates, claim 22 is amended to recite "the regions including the predetermined portions of the substrates". The claims also have been amended so that any occurrence of "substrate" is replaced with "substrates".

The Office Action requested Applicants to identify where in the specification there is support for claim 22. As mentioned above, claim 22 is a generic claim, and thus is supported by each of the embodiments. As described, for example, at page 8, lines 18-23 and page 10, line 24 - page 11, line 1, after performing a macro inspection of the substrates, another inspection is performed only on predetermined portions (for example, sampling regions shown in Figs. 3A-3C) of the substrate. According to some embodiments, the determination regarding whether or not to perform the second inspection is based on the existence of macro defects on the substrate. See page 12, lines 1-6 and page 14, lines 15-22. According to other embodiments, the determination regarding whether or not to perform the second inspection is based on whether or not macro defects exist in specified regions of the substrate. See, for example, page 12, lines 7-12 and page 19, lines 14-21. Accordingly, independent claim 22 is supported by the specification.

Withdrawal of the rejection is requested.

Claim 22 stands rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,699,447 (Alumot et al.). This rejection is respectfully traversed.

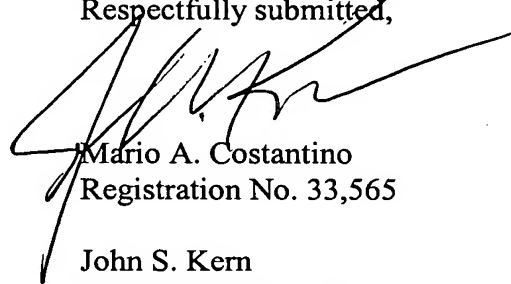
As a predicate to making this rejection, the Office Action interprets "predetermined portion" to read on portions of the substrate that are selected based on the first (macro) inspection. Independent claim 22 has been amended to further clarify that the predetermined portion is "set in advance of the macro inspection." Applicants respectfully submit that Alumot et al. does not disclose or suggest an apparatus or method in which a second inspection is executed on a predetermined portion of a substrate, the predetermined portion set in advance of macro inspection, and that a determination whether or not to perform that inspection is based upon the results of an earlier macro inspection, as recited in independent claim 22. Alumot et al. only performs its second, higher resolution inspection on areas believed to have defects, those areas being determined from the first, lower resolution inspection. See, for example, col. 2, lines 6-13, col. 5, lines 23-34 and col. 21, lines 24-34 of Alumot et al. Accordingly, independent claim 22 and its dependent claims are patentable over Alumot et al. Withdrawal of the rejection is requested.

As noted above, the withdrawn system claims should be re-joined and allowed with generic independent claim 22. Applicants also request that the withdrawn method claims be re-joined and allowed.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: June 19, 2007

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